DEMOCRACY VERSUS AUTOCRACY

GEISER

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DEMOCRACY *VERSUS* AUTOCRACY

A COMPARATIVE STUDY OF GOVERNMENTS IN THE WORLD WAR

BY

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Eternal Spirit of the chainless Mind!
Brightest in dungeons, Liberty! thou art,
For there thy habitation is the heart—
The heart which love of thee alone can bind;
And when thy sons to fetters are consign'd—
To fetters, and the damp vault's dayless gloom,
Their country conquers with their martyrdom,
And Freedom's fame finds wings on every wind.

—Byron, *Sonnet on Chillon*

PREFACE

This little book has been prepared primarily to meet the needs of the government requirements in the War Aims Courses now given in American colleges and universities. It has also been written with a view to stimulating in the general reader a greater interest, a clearer understanding, and a greater love and enthusiasm for the democratic ideals of government. The World War has familiarized us with such terms as "democracy," "autocracy," "parliamentary systems," "responsible government," "self-determination," the "small state," and many other similar expressions. My own experience and observation in teaching government for nearly a score of years convinces me, however, that such terms convey very little meaning to the average individual, including the college graduate. The great need of the hour in the "campaign of education" that is now going on is a more careful examination of the terms of the problems we propose to solve. I have therefore attempted to make these chapters in a very real sense a study of political ideals, terms, and types of institutions rather than a mere collection of miscellaneous and interesting facts proportioned among the states according to their general importance. I have assumed a knowledge of our own government and have taken England, France, and Italy

as representatives of the parliamentary and responsible systems; Germany as representing autocracy in its most efficient, and therefore most dangerous, form; Austria-Hungary as the great political complex out of which have come many of the problems — and indeed the very causes — of the World War, and the discussion of which will surely occupy much time at the coming peace conference. Belgium stands as an example of the ideal small state for which the democracies are fighting, while Brazil is selected as typical of the most progressive of the South American republics.

The bibliography at the end of the volume has been added with a view to furnishing a minimum number of references to works accessible in most libraries or procurable at a small investment.

I am indebted to Dean Guy Stanton Ford of the Committee on Public Information, Washington, D. C., for suggestions concerning the plan out of which this book has grown and especially to the scholarly advice and help of Dr. Kenneth W. Colegrove of Syracuse University both while the manuscript was being prepared and the proof-sheets corrected.

KARL FREDERICK GEISER

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November 6, 1918

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DEMOCRACY *vs.* AUTOCRACY

DEMOCRACY *vs.* AUTOCRACY

CHAPTER I

INTRODUCTION

When President Wilson gave expression to the now famous phrase, "We are fighting to make the world safe for democracy," he uttered a profound truth. He saw in the conflict in which America is engaged in association with the Allies, a struggle between two political ideals; these two ideals, when expressed in form and practice of government, are in their nature either monarchic or democratic. The one ideal is accepted by Germany; the other by the United States; the one means a government imposed from above; the other a "government by the consent of the governed"; the one means an irresponsible autocracy; the other a government responsible to the people — a democracy.

But what, it may be asked, is a democracy? Are not all modern governments, of whatever form, ruled by public opinion? Could any ruler in an enlightened state carry on a government without the consent, active or passive, of the people forming the

state? These are searching questions, and the implications raised by them should by no means be dismissed in a perfunctory manner, for they suggest ideas lying at the foundation of the World War. No attempt will here be made to discuss all of the issues raised by these questions. That is not the purpose of this outline, and we merely call attention to them in order to define, at the outset, the scope and purpose of this study. It may be true that all modern states are, in a general sense, governed by public opinion, if by that phrase we mean a passive popular approval of the existing political order of society. And if the issues of the war were *merely* to determine whether political power should henceforth *emanate* from above or below — from governor or governed — the significance of the final outcome would not be of transcendent importance; that is to say, the direction in which power flows is not in itself the significant fact concerning issues between states. The significant fact about the source of power is this: When political power comes from above, it comes from a single source; there is no way of restraining it; it is liable to abuse; and it always implies a government imposed upon the governed from without. Such a government may be directed by wise counsel; it may be efficient; and may, in a material way, do much for the people; but it is not democratic. On the other hand, a government in which power emanates from the

people and is imposed upon themselves by their own free choice carries with it its own restrictions and is not liable to abuse. Such a government may make mistakes — all governments do that. It may have faults, but in that case

> "The fault, dear Brutus, is not in our stars,
> But in ourselves, that we are underlings,"

and this is an important fact to keep in mind.

There is one more question, then, that should be asked and answered: Is a democracy the best kind of government? Yes. After long experience, after all the observations made concerning government since man has kept a record of events, it is clear, beyond a doubt, that the people themselves know best what they want; and they should choose, therefore, their own form of government and impose, in whatever form and manner they please, their own laws. — That is what we mean by a democracy.

Determining Principles

Adopting, therefore, President Wilson's phrase quoted above as one of our chief war aims, and accepting as a definition of democracy the foregoing paragraph, it is pertinent to ask to what extent the chief European governments associated with us in this war are also democratic in form, practice, and spirit. That is the question we shall attempt to answer. But before doing so it will be well to

summarize certain fundamental principles concerning government in general:

1. The character of any government, *i.e.* whether it is democratic or undemocratic, is determined by two facts: first, its form, and second, the extent to which it is subject to popular control.

2. The functions of government are twofold — the formulation of policy, determined by the legislative branch, and the execution of the public will by the executive or administrative branch, for the judiciary is in the last analysis merely a branch of the law-enforcing power. These two functions may be united in one authority, as in the earlier despotisms of the East, or in two separate and independent departments, as in the United States; or they may be exercised jointly by the legislative and executive branch, as in England, France, and Italy. The executive may be called a king, president, cabinet, or council — the name is unimportant. The policy-determining branch may be called a congress, an assembly, a legislature, or a parliament — these are mere names for the same idea. The chief fact to be kept in mind is that there are two distinct functions of government — law-making and law-enforcing — and the manner of interaction of these two departments and their relation to the people determine whether or not a government is really a democracy.

3. Since all governments are ordered and regulated by law, whatever the source or nature of that

law may be, the authority and control of the law-making branch will primarily determine the character of the government; that is to say, if the legislative body is elected by, and continually dependent upon, the people, we have one of the chief essentials of a democracy.

4. From the very nature of society, every self-governing community forming a sovereign state, extending over a wide area, and including a large population, must be politically organized into a national, general, or central government and into local governments. The central government always controls the foreign policy; it declares war, makes treaties, regulates commerce, and forms all alliances with other states. In the consideration of our question this fact must constantly be kept in mind, for in the war we have been waging against the central powers all considerations of the merits and demerits of local government — state or municipal — are irrelevant. We have not been waging war against the cities of Germany; we have had no concern with the government of Hamburg, Leipzig, Stuttgart, or Munich. Our sole concern and purpose has been the defeat of the military rulers of the central governments of the German and Austro-Hungarian Empires. We shall consider, therefore, in our description of the English, French, Italian and German systems the nature and character of the general or central government and touch upon the local gov-

ernments only so far as may be necessary to a proper understanding of the general government.

Applying these general considerations or principles to the chief governments of Europe now engaged against the central powers, and assuming that each government is fighting for its own existence and ideals, let us see to what extent, judged from the above considerations, each country is fighting for democracy. For the American the problem of understanding the governments of Europe may best be approached through a comparative method, beginning with the salient facts of our own government before proceeding to the governments of Europe.

CHAPTER II

COMPARATIVE GOVERNMENT

Presidential System

The American Government

The American government differs from nearly all other governments in having a written constitution superior to, and binding upon, both the legislative and executive departments, and in having an independent federal judiciary clothed with the authority of declaring null and void the acts of other departments. The Supreme Court is itself, however, created by the Constitution, which in turn vests in Congress the power of creating inferior courts, so even this department is in the last analysis subject to popular control. Sovereignty, or final power, rests directly with the Constitution, whereas in England, and indeed all governments of Europe, except Switzerland, sovereignty rests directly with the law-making department. "The American Constitution," says James Bryce, "is the living voice of the people, or the people at their best." With a President and both branches of Congress elected by the people, and a fundamental law made and changed

by the people, and that law binding upon all governing authorities, America has, in the best sense of the term, a popular or democratic government.

Parliamentary Governments

The English Government

Gladstone said that "the American Constitution is the greatest piece of constructive statesmanship ever conceived and struck off by the brain and purpose of man at a single time." In one sense only was it struck off at a single time: Fifty-five men sat four months at Philadelphia and drafted our written Constitution. But those men merely put into form the experiences of their own colonies, their observations upon the English government, and the principles of English common law; and the American Constitution has expanded since then in several ways — by amendments, by interpretation by the courts, and by usage. The American Constitution is therefore much more than the mere written document.

The English constitution is a still better example of how political systems grow and cannot be made at one time. No formal assembly ever sat to draft a complete scheme of government for England; its constitution developed gradually, and we can mention only some of the great landmarks which put it into its present form. Some of these were in the

nature of treaties, such as the Union with Scotland in 1707, and the Union with Ireland in 1801; others were in the form of agreements between opposing political forces or groups — such as the Magna Carta, the Petition of Right, and the Bill of Rights; a third source of the constitution comprised statutes, such as the Habeas Corpus Act of 1679, the Act of Settlement of 1701, the Fox Libel Act of 1792, the Reform Acts of 1832, 1867, and 1884, the Municipal Corporations Act of 1835, the Parliamentary and Municipal Elections Act of 1872, the Local Government Acts of 1888 and 1894, the Parliament Act of 1911, and the numerous suffrage Acts ending with the Representation of the People Act in 1918.

Nor are these the only sources of the English constitution. There are unwritten sources, such as the common law, court decisions, and understandings or conventions, as they are called, many of which have never been put into written form by legislative bodies. The student who wishes to form some idea of the English constitution may do so by an examination of the above-mentioned documents and sources. For our present purpose it will be sufficient to remember that the chief organs of the English government gradually grew into their present form. We shall therefore turn to consider what they are and how they operate.

In England the chief organs of the central government are King, Ministry, and Parliament consisting

of two houses. The King, though a hereditary monarch, has practically no political power, and the executive authority is exercised entirely by the Cabinet, an inner circle of the ministry, which consists of the heads of departments. Their number is about twenty, while the number included in the term ministry ranges ordinarily from seventy-five to one hundred. The Cabinet is the soul and center of the English government, and while in some respects its position is not unlike that of the American Cabinet, its functions are both legislative and executive, and its relation to the legislative branch is entirely different. The American Cabinet is independent of Congress; the British Cabinet consists of members and leaders of Parliament selected by the Prime Minister largely because of that leadership. If the members of the President's Cabinet were also at the same time members of the dominant party in the Senate or House of Representatives, and if the President's term of office were dependent upon his ability to lead Congress, we should have essentially the English system of cabinet government.

The House of Lords consists of about 680 members who hold seats — (1) by hereditary right, (2) by creation of the sovereign, (3) by virtue of office — Law Lords, English archbishops and bishops, (4) by election for life — Irish peers, and (5) by election for duration of Parliament — Scottish peers. While none of the members of the British upper house is

elected by popular suffrage, in 1911 their power was finally so restricted by the famous Parliament Act that we may now say in truth that the legislative power of England resides in the popularly elected House of Commons. By that Act all money bills passed by the House of Commons and sent to the House of Lords become a law one month after they have been sent to that house. All other public bills, except a bill extending the duration of Parliament, if passed by the House of Commons in three successive sessions, whether of the same Parliament or not, and presented in each case to the House of Lords, become law without the assent of the upper house providing two years have elapsed between the second reading in the first session and the third reading in the third session. The Parliament Act also limited the duration of Parliament to five years instead of seven. Until about 1832 the House of Lords was the dominant chamber, but the Reform Act of that year brought the lower house into greater prominence, and since then the House of Lords has gradually declined in power and influence until the Act of 1911 virtually removed the last vestige of privilege from the government of England.

The House of Commons is therefore the real legislative body. It consists of 707 members elected by universal popular suffrage for a term of five years unless a prorogation of Parliament and a new election ends their term before that period has

expired. Until the Representation of the People Act in 1918 the number of members in the House of Commons was 670, but that Act redistributed the seats in Great Britain on the basis of one member for every 70,000 of the population, and a separate bill gave Ireland one member for every 43,000 of the population. The principal act also greatly extended the right of suffrage to men, and it also included women over thirty years of age, so that one third of the population now has the voting privilege. Its total effect was to double the voting population.

With these facts before us we may now consider how and why England is, with the possible exception of Switzerland, politically the most democratic government in the world. The first fact to be noted is, that England has had, since 1689, two great political parties, and that the party in power has complete control of the government. That is what is meant by "party government." There are of course always minor parties which sometimes hold the balance of power between the two great parties. The last general election in 1910 gave the Liberals 272, the Laborites 42, the Irish Nationalists 76, the Independent Nationalists 8, and the Conservatives and Unionists 272. The Liberals had the support of the Laborites, Irish Nationalists and Independent Nationalists, thus giving the Government a majority of 126.

But in order to understand the Parliamentary

system of government let us assume, what is normally the case, that the two great groups, called for the sake of convenience Conservatives and Liberals, are facing an election. If the Conservatives win and the majority of that party controls the House of Commons, then the leader of the Conservatives becomes Prime Minister, and every member of his Cabinet will be selected from the Conservative party in accordance with the expressed will of the majority of the voters. Now let us assume that the Conservative party after being in power for a time commits the country to a policy which the people disapprove, let us say a new tax on incomes. If popular opinion, as expressed in newspapers and various other organs of public expression, opposes the tax, there will be such a vigorous protest against the party in power that the King, acting solely upon the advice of the Prime Minister, who is head of the party, will be compelled to dissolve Parliament and issue writs for a new election. The question upon which that election will turn will be the income tax, and the people will decide it by voting for candidates who favor or oppose the tax. If the ministry which precipitated the election is sustained by the return of a Conservative party majority, the old Cabinet remains in power and their policy is continued. If, on the other hand, the Liberal party returns a majority, the old Cabinet resigns and the leader of the Liberals is formally appointed by the Crown as

Prime Minister. The latter then chooses all the members of his Cabinet from the Liberal party; and a Liberal government pursues a policy in accordance with the expressed wishes of the electorate.

It sometimes happens that in a crisis, such as the present war, when one or two minor parties, such as the Labor and Irish Nationalist parties, vigorously oppose the Cabinet or Government, leaders from these parties are called into the Cabinet and a "coalition ministry" is formed. In fact, the present war has furnished not only an illustration of coalition, but also an example of the elasticity of the English system to meet a crisis. The Cabinet prior to December, 1916, consisted of the political chiefs of the principal departments of government and exceeded twenty in number. In February, 1918, the Cabinet was reduced to six members, three of whom were "without portfolio." The present "War Cabinet" consists of D. Lloyd George, who is Prime Minister and first Lord of the Treasury; Lord Curzon, leader of the House of Lords and Lord President of the Council; A. Bonar Law, Chancellor of the Exchequer and leader of the House of Commons; those without portfolio are Austen Chamberlain, G. N. Barnes, and Lieutenant-General J. C. Smutz. (See Statesman's Year-Book, 1918.) It is indeed a high tribute to the English people and to English statesmen thus to lay aside political

differences and to coöperate in the nation's day of need. The ability of a government to adapt itself to such a crisis, to unite in action, yet allow the greatest freedom of speech and press, to extend suffrage beyond that of any other government on earth, at the same time calling to leadership the aristocracy of intellect, clearly shows democracy in its most enlightened form.

Let us now examine from the same point of view the government of France.

The Government of France

The defeat of the French armies at the hands of the Germans in 1870 destroyed the tottering Empire of Napoleon III and gave to France its present Republic. The constitution of the third Republic was framed by a provisional government set up from 1870 to 1875, when five constitutional laws were passed providing for a government essentially as it is to-day. Like the American Constitution, the French Constitution is a written document, or rather a collection of written documents, but unlike the American Constitution it may be revised and amended by the two legislative chambers sitting together in joint session and called the National Assembly.

The chief organs of government are a President, a Ministry or Cabinet, and a Parliament consisting

of a Senate and a Chamber of Deputies. The President is chosen for seven years by the National Assembly or joint session of the two chambers. Legally the French President has numerous and important powers including the initiation of laws concurrently with the members of the two chambers, or, in other words, the right to introduce bills in the chambers. Custom has given him still greater powers in the right of issuing ordinances having the force of supplementary legislation. On the other hand, his veto power is merely suspensive, *i.e.* he may demand a reconsideration by Parliament of any bill which it has passed; but if reënacted by a simple majority, it is incumbent upon him to promulgate the bill as a law. The weakness of his position lies in the fact that the constitutional law of 1875 provides that "every act of the President of the Republic shall be countersigned by a minister," and "the ministers shall be collectively responsible to the chambers for the general policy of the government, and individually for their personal acts."

Like the King of England, the French President has much superficial authority but little real power, because the powers vested in him are performed by the ministers — ministers who are responsible for their acts to Parliament. The President has power to select these ministers, but the exigencies of party strife practically dictate the choice to be made, and after the President has signified the party leader

who shall be Prime Minister, he has customarily little or nothing further to say in the selection of the Cabinet. He presides over the Council of State, an administrative body and administrative court of last resort, but is not usually present at Cabinet meetings in which the real policy of government is determined. But when a cabinet falls, since there is no victorious opposition leader as in England, his duty in the formation of a new cabinet becomes more important than that of the King of England. Yet in general the President's power is but nominal, the real executive is the ministry.

Acting in a collective capacity the French ministry has two functions — one, as a council of state, and the other, as a cabinet. In the former capacity the ministers have general supervision of the administration of laws; in the latter, they formulate the policies of government and defend these policies in the chambers. Collectively, the ministers are responsible in general matters, and individually in particular ones, nominally to the two chambers, but in reality to the Chamber of Deputies alone. The importance of responsibility to the lower chamber will become apparent after we have considered the composition of the two chambers forming the legislative branch. In the first place let us examine the upper chamber.

By the law of 1875 it was provided that the Senate should consist of 300 members, of whom 225 should be elected for a term of nine years from the

Departments (85 subdivisions into which France is divided) and from the colonies by indirect methods of election, while 75 members were to be elected by the National Assembly itself, for life. This system in the main continues in effect to-day, except that in 1884 provision was made whereby the method of electing for life should be abolished, and all vacancies occurring among the life members should thereafter be filled in the regular manner. There are at present few surviving life members, and when they shall have disappeared the Senate will comprise a body of 300 members apportioned among the departments in approximate proportion to population and chosen in all cases by bodies of electors who have themselves been elected directly by the people.

The Chamber of Deputies, to whom the Cabinet is responsible, consists of 597 members and rests upon a thoroughly democratic basis. The franchise is extended to all male inhabitants twenty-one years of age who are not bankrupts, convicts, persons under guardianship, or in active military or naval service. The full membership of the lower chamber is elected simultaneously for a term of four years unless the chamber is dissolved before that term expires. They are elected by secret ballot from districts similar to those of the American House of Representatives and of the English House of Commons. As in America, the French chambers have in general equal powers in the matter of initiation,

enactment, and amendment of laws; as to the origin of money bills, impeachment, and the trial in cases of impeachment, the powers of the French chambers also correspond respectively with the powers of the two chambers of the American Congress.

While France has the parliamentary system of government patterned after the English model, the political parties of the French Republic are more unstable, more numerous, and the lines by which they are marked off from each other less distinct than in England; hence party government in the strict sense is less successful, and in the last two decades a union of several parties, or the *bloc*, as it is called, has largely shaped the policies of government. While France has therefore a parliamentary system of government similar to that of England, the French Ministry is clothed with much more authority than the English Cabinet; it has many powers which in England are lodged with the legislators or the courts of law. We need not here dwell upon the reasons for this greater emphasis upon the executive control, for our purpose is merely to show that France, as England, has a democratic and responsible government, and that in the heroic struggle she has been making in defense of her country, her people, and her civilization, she has been fighting for democracy.

The Government of Italy

Before the French Revolution the peninsula of Italy was divided into numerous petty kingdoms, principalities, and independent republics. It had for a long time been disrupted and misgoverned. Before Napoleon's invasion in 1796, the greater portion was under the dominion of two foreign dynasties — the Austrian Hapsburgs and the Spanish Bourbons. But with the French invasion came an overturning of the old political arrangements in Italy and also an awakening of the Italian people to a consciousness of unity and strength and to national aspirations. The French influence under Napoleon, which lasted from 1796 to 1815, left a permanent impress upon the political institutions of Italy, kindled the fires of self-determination, and directed the discordant states toward the highway to national unity. It was a long road, however, and we cannot here trace the vicissitudes of fortune and misfortune until the goal was reached. It was a dramatic and heroic struggle against internal disorder and foreign intrigue — a struggle in which the names of Victor Emanuel, Cavour, Garibaldi, and Mazzini became illustrious in Italian history. But unity came at last. The first definite step toward that end was taken when, during a great popular upheaval in 1848, Charles Albert, a prince of the House of Savoy, with the title of King of Sardinia, granted to

his subjects in Piedmont a royal charter called the *Statuto*.

Italy had now found a leader and a model democratic constitution, and one state after another adopted this charter as its fundamental law until, in 1871, Italian unity was complete. The Kingdom of Sardinia had expanded into the Kingdom of Italy without any alteration of the original *Statuto*, which still remains as the written constitution of the nation. No provision for amendment was made when the document was framed, and no change has been made in it since. But as in England, custom has changed practice, and the government of Italy as it is to-day must be considered from its actual practice rather than from any fundamental law. For our purpose we need only to consider the three most important organs of government — the King, the Ministry, and Parliament.

Italy, like England and France, has the parliamentary system of government. At the head of the nation is the King, a hereditary monarch, vested by law with much power, but in practice he has little more than the King of England or the President of France. By law his sanction is necessary to the validity of statutes passed by Parliament, but in practice he never vetoes a measure. According to the Constitution he has the treaty-making power; but in practice all treaties, except military conventions and alliances, are submitted to Parlia-

ment for approval. In fact, all the powers of the King are exercised in his name by the ministers who are responsible to the popular chamber. He is seldom present at Cabinet meetings and has almost no influence over domestic politics. Perhaps his greatest influence is in his appointment of a successor to a Cabinet leader when in a crisis the Ministry resigns, for Italy is split up into a number of small parties, none of which has a majority in the lower chamber. The King may therefore select, though from a limited number of party leaders, any one he pleases to form a new Cabinet, whereas in England the King has no choice — he must select the leader of the dominant party.

Political parties in England are, however, so much older than parties in Italy, that there is danger of inferring, through comparisons, that Italy has not attained to the full stature of parliamentary government. It must be remembered that in Italy the party system did not begin until after the death of Cavour in 1861, and since then the industrial, social, and religious changes have been too rapid to permit of political development along traditional or historical lines. During the first decade after Cavour's death, the continual fear of war with France prevented the completion of Italian unity and consequently a centering of interest upon internal affairs. Soon after that danger had passed, the question of Church and State came to deflect

political development from the course it would normally have taken and has taken in other countries where the Church is a factor in politics. As a protest against the alleged usurpation of secular power, Pope Pius IX issued a decree (1883) declaring it "inexpedient" that Catholics should vote at parliamentary elections. This prevented the formation of a clerical party, which would naturally have formed the backbone of a Conservative party. Then the rise of Socialism (1872–1891) developed groups distinguishable from the positions occupied in the Chamber — Center, Left, Extreme Left — rather than the position taken on public questions. With no conservative check, parties came to differ only in degree of radicalism, and such was virtually the situation at the outbreak of the Great War. In 1913 the lower house elected the following: Constitutionalists, 318; Radicals, 70; Republicans, 16; Socialists, 77; Syndicalists, 3; Catholics, 24.

The Ministry usually consists of heads of departments, although occasionally a member is appointed without a portfolio solely to help in shaping the policy of government and in defending it in the chambers. After the Premier, or President of the Council, as he is called, has been appointed, he nominates the other members, who are then formally appointed by the crown. If a minister is appointed who is not a member of either house, he is obliged by custom to become a candidate for the next vacant seat

in the Chamber of Deputies unless he is created a Senator.

The Italian Parliament is composed of a Senate and a Chamber of Deputies. The Senate consists of 383 members, including the members of the royal family and members appointed for life by the crown; but the choice is limited to twenty-one classes of citizens and to those who have attained the age of at least forty years. Among the more important classes are: bishops, high officials, deputies who have served six years, members of the Royal Academy of Science for seven years, citizens who pay over $600 in taxes, and others who have distinguished themselves in the service of the state. A further limitation is placed upon the King in the appointment to this chamber by the fact that the Senators themselves determine to which of the twenty-one categories an appointee belongs, and also by the fact that in practice appointment by the King actually means appointment by the Ministry commanding a majority in the lower chamber. In theory the two chambers have equal power in the matter of legislation, except in money bills, which must originate in the lower house; but in practice the Senate is little more than a revising body, distinctly inferior to the elected Senate of France.

The Chamber of Deputies is composed of 508 members elected from single districts by popular

vote. Suffrage is granted to nearly all male citizens twenty-one years of age, it being denied only to those less than thirty years of age who cannot read or write. As in England, a Deputy need not reside in the district from which he is elected; he must, however, be a citizen, at least thirty years of age, in possession of full civil and political rights, and not belonging to certain classes or professions whose members are debarred by law. Deputies are elected for a term of five years unless a dissolution of Parliament intervenes to end the term before that period expires. As a matter of fact, the average interval between elections is about three years. The organization, rules, and procedure of both Italian chambers are in general those common to all democratic assemblies of the Continent.

Such, briefly stated, are the position, composition, and relation of the chief organs of the Italian government. With its parliamentary system providing for an executive responsible to the lower chamber, and that chamber elected by popular vote, excluding only a small number of the illiterate, Italy has carried democracy to its greatest possible length compatible with her social and economic development.

CHAPTER III

THE GOVERNMENT OF GERMANY

LET us now apply to the government of Germany the same standards by which we have tested the character of the governments of the United States, England, France, and Italy. We shall then see to what extent the "masters of Germany" represent the people of Germany, and we shall also see to what extent Germany approaches a democracy. It will enable us to understand more clearly what President Wilson meant when he said, "When the German people have spokesmen whose words we can believe, and when those spokesmen are ready in the name of the people to accept the common judgment of the nations as to what shall henceforth be the bases of law and covenant for the life of the world — we shall be willing and glad to pay the full price for peace, and pay it ungrudgingly. We know what that price will be. It will be full, impartial justice — justice done at every point and to every nation that the final settlement must affect, our enemies as well as our friends."

The statement here quoted has frequently been criticised on the ground that it proposes to interfere with the internal affairs of a foreign state, and is

therefore contrary to the spirit of international law and the comity of nations. In reply it may be said that the President is merely declaring the policy of the United States in future dealings with Germany. The President is, moreover, proposing no organic change in the German government. When, during the conflict between the American colonies and Great Britain the ministry of Lord North fell in 1782, and the Whigs, who were our friends, came into power, there was, in the best sense of the term, a change of government. But that change did not involve a constitutional or organic change in the English government. It simply meant a change of rulers; it meant the coming into power of a government that could be trusted, a government representing a people in sympathy with ourselves and with our democratic aims; and the result was the peace of 1783 which gave us our independence. Nor have the refusals of President Wilson to deal with Germany except upon the basis of a responsible government been without effect, for on October 21, 1918, in reply to questions concerning an armistice, the German Foreign Minister admitted that, "Hitherto the representation of the people of the German Empire has not been endowed with an influence on the formation of the government," but adds that, "These conditions have just now undergone a fundamental change, a new government has been formed in complete accordance with the

wishes of the representation of the people, based on equal, universal, secret, direct franchise," and that "the first act of the new government has been to lay before the Reichstag a bill to alter the constitution of the empire so that the consent of the representation of the people is required for decisions on war and peace." This is both a remarkable admission and an unusual proposal on the part of the German government; and at the present writing (October 22, 1918) it is impossible to predict to what extent, if any, vital and fundamental reforms will actually be carried out. Nevertheless, the quotation is such an excellent statement both of the defects and the needs of the present German government that I have felt justified in citing it. Moreover, it completely vindicates the position of President Wilson in insisting upon dealing, in this case at least, only with a popular or responsible Germany.

Let us now see to what extent our quarrel is with the "masters" or rulers of the German Empire rather than with the liberal spirits who in Germany to-day are supporting — so far as support is possible — President Wilson's liberal program. But to understand the problem it will be necessary to consider the chief organs of the German government and their relation to the people.

After the fall of Napoleon, the Congress of Vienna, in 1815, erected into a loose confederation thirty-nine German states under the presidency of Austria.

This arrangement lasted until the crushing defeat of Austria by Prussia in 1866. Thereafter Austria was excluded from all participation in German politics. In the following year Bismarck succeeded in uniting twenty-two German states north of the river Main into the North German Confederation under the leadership of Prussia. A written Constitution was adopted by the Confederation which forms the legal basis of the government even at the present time. Four South German states were added in 1870 by treaties, and in 1871, at the conclusion of the Franco-Prussian War, the name of the North German Confederation was changed to German Empire. The addition of the four states by treaties, however, made a modification of the original constitution of the North German Confederation necessary, and at the suggestion of the Emperor it was revised and approved by the Reichstag, April 14, 1871, and this revision constitutes the Imperial Constitution of to-day.

Under this Constitution the Empire is composed of twenty-five states, each having a measure of local self-government, and the imperial domain of Alsace-Lorraine, which in 1911 was elevated into a condition of quasi-statehood. We shall not attempt to describe the government of the twenty-six states, for our concern is solely with the Empire, but it should be remembered that they are unequal in population, in area, and, contrary to the relationship

of the forty-eight American states, they are unequal in their relation to the Empire. That is to say, whereas the American federal government is based upon the equality of states and the equality of individuals in relation to that government, the German Empire is based upon the inequality of both states and individuals in their relations to the central government. And we may add at once, that Prussia, containing three-fifths of the total population of the Empire, is the dominant state.

Now it might appear that in view of the large population of Prussia a preponderating influence in the affairs of government by that state would be justified and entirely consistent with democratic ideals; and indeed, it would be if the Imperial Constitution or sovereign power rested on the basis of popular representation expressed by a popular vote. But this is not the case; sovereignty rests not in a national Parliament elected by the people, but in the Bundesrat or upper chamber, which, as we shall presently see, is not a popular body. Nor is the written Constitution a popular instrument in any sense of the term. While the procedure in amending it is in general identical with that of ordinary legislative enactments, there is an important exception: an amendment is defeated if fourteen votes are cast against it; and Prussia controls twenty votes in the Bundesrat. Thus the Kaiser, who controls the Prussian votes, may block

any amendment to the Constitution, no matter how greatly desired by the people.

With these general observations concerning the origin and nature of the German Empire, let us consider briefly the position and powers of the chief organs of government. They are: Emperor, Chancellor, Bundesrat, and Reichstag. The Imperial Constitution provides that "to the King of Prussia shall belong the presidency of the Confederation and he shall bear the title of German Emperor." In other words, there is lodged in the hands of a single individual the two highest offices in Germany; the one places him at the head of the largest state in Germany, and the other at the head of the Empire itself. As King of Prussia his powers are very comprehensive, exceeding those of any other European sovereign; as Emperor his powers are less numerous but, so far as they go, of fundamental importance. He is commander-in-chief of the army and navy and controls the entire military organization of both the states and the Empire. The entire foreign policy, including war and peace, is virtually in his hands, for the limitations imposed by requiring the consent of the Bundesrat and Reichstag in certain matters are in law, by virtue of his relation to Prussia and the Bundesrat, of such a nature as to make restraint next to impossible; and in practice such restrictions are seldom applied. In legislation, in appointment of judges to the Supreme Court, and

finally in the execution of laws, his powers are so extensive that he may virtually control the three branches of government which in America are limited by the Constitution and by our elaborate system of checks and balances.

The Emperor appoints the imperial Chancellor, who "shall preside in the Bundesrat and supervise the control of business." While the Constitution provides that all decrees and ordinances shall be countersigned by the Chancellor, "who thereby assumes the responsibility for them," that responsibility is not, as in England and France, to the lower or popular branch of the legislature, but to the Emperor. Moreover, the place filled by the ministry in the other governmental systems, described above, is occupied by the Chancellor alone. This fact in itself would not, however, be of great significance if the Chancellor were responsible for his acts to the legislative branch of government, and if that branch were responsible to the people. Such practice would soon develop a parliamentary system of government, and the legal power of the Emperor would become a mere adornment of an empty title. But as long as the Emperor's word, spoken either by himself or spoken through his mouthpiece, the Chancellor, remains unchallenged by a popular or representative body, Germany can in no sense lay claim to a responsible government. In our consideration of the German government thus far, then, we find

nothing in the powers and functions of the Emperor approaching a democracy. Let us therefore see to what extent the two chief organs yet to be considered approach the democratic idea.

We will begin with the Bundesrat — "that extraordinary mixture of legislative chamber, executive council, court of appeal, and permanent assembly of diplomats." It is the most German of all German institutions. It is composed of delegates appointed by the princes of the states and the senates of the free cities of Hamburg, Bremen, and Lübeck. Of the total number of votes allotted to each state, Prussia has seventeen (but controls three more), Bavaria six, Saxony four, Württemberg four, Baden three, Hesse three, Mecklenberg-Schwerin two, Brunswick two, Alsace-Lorraine, which in 1911 nominally became a state, three, and the seventeen other states one each, making in all a total of sixty-one votes. It is important to note at the outset that the Bundesrat is not a senate, but a body of diplomats acting under instructions from the governing authorities who appointed them. The members vote not as individuals, but by states as a unit. Thus Prussia casts twenty votes in a block according to instructions from the King of Prussia. It is also important to note that the Bundesrat may be called into session by the Emperor without calling the Reichstag, but the Reichstag may not meet without the Bundesrat, and that the Bundesrat always holds

its sessions in secret; and in case of a tie, the Prussian delegation casts the deciding vote; or in case of a bill changing the *status quo* of the army or navy or tariff, Prussia may veto any reform. Passing by the executive and judicial functions, which are important, it is sufficient to note here that in matters of legislation the Bundesrat, or rather the Chancellor, in practice initiates and makes all laws with merely the consent of the Reichstag. In this respect it is the reverse of the English system, where the upper chamber is merely a revising and an assenting body.

The Reichstag need not detain us long, for it has little power, and in fact was not created primarily as a legislative chamber, but rather to stimulate national sentiment and enlist popular support against the local and dynastic influences which have free play in the Bundesrat. It is composed of 397 members elected for a term of five years by a direct and secret ballot, each member being elected from a single district. But the districts, which have not been changed since 1871, have become so unequal in population that this fact alone would make the lower house undemocratic. If the seats were redistributed upon the basis of equal population, the liberal element of Germany would now control the Reichstag. But that control alone, be it remembered, would not make Germany a democratic state, because a democratic government is one in which political power, by whatever agencies it may be

exercised, is based upon the popular will and not upon the authority of an Emperor, a Chancellor, or a Bundesrat, none of whom is responsible to a popular majority. Thus the German state is one in which the policy of government and the execution and administration of that policy proceed from above, and is accountable and responsible, not to the masses for whom the democracies of the world have been fashioned, but to the favored few who now seem to hold in the hollow of their hands the destiny of seventy million subjects and who threaten the peace of the world.

CHAPTER IV

AUSTRIA-HUNGARY

THE Great War has created an unusual interest in the government of Austria-Hungary. As the chief ally of Germany and the bridge of Prussian ambition to the East, her defeat and recent detachment from Germany mean the speedy conclusion of the war; and her fortunes at the peace conference will undoubtedly become the subject of extensive discussion and negotiation. A brief sketch of her history and political institutions seems, therefore, not only justified but also necessary to a proper understanding of American war aims.

The Dual Monarchy is composed of two sovereign states, the Austrian Empire and the Hungarian Kingdom. Each state has its own Constitution, its own executive and legislative departments, its own courts, its own system of local governments; and to a large extent each has had its own history. The two governments have, however, been united under a common ruler since 1526; when, after the defeat of the Hungarians by the Turks at the battle of Mohács, a Hapsburg prince was elected to the throne of Hungary.

The Ottoman Turks, it will be remembered, were,

under a great ruler, Suleiman II (1520–1566), rapidly extending their sway westward. They established themselves in Asia, Asia Minor, Armenia, Syria, Caucasia, the Euphrates Valley, and the shores of the Red Sea. They conquered the entire Balkan peninsula, including present Greece, Bulgaria, Hungary, Bosnia, and Herzegovina. The last two provinces mentioned they held until the Congress of Berlin in 1878, when Austria was given administrative control over them; and indeed Turkey maintained nominal suzerainty over them until they were formally annexed to the Austrian Empire in 1908. It was to save herself, therefore, from the ferocious Turk that Hungary yielded her independence by choosing a foreign ruler. But the union had little effect upon the development of Hungarian institutions or the style of her own government. We shall, therefore, briefly sketch the history of each state separately and then consider the government.

The History of Austria

Austria was originally a mark or border county formed by Charlemagne as a bulwark of the Frankish Kingdom against the Slavs. During the ninth century it was overrun by the Moravians (Slavs) and Magyars (Turanians) and all traces of Frankish institutions were swept away. Not until Otto the Great conquered the Hungarians in 955 and re-

organized the mark did a continuous development begin; a development, that is, that can be traced to modern times. Leopold of Babenberg was the first of a distinguished family to govern the mark, and from the beginning of his rule in 966 to the extinction of his line in 1246 the boundaries were extended, the administration consolidated, and an orderly government established. In 1156 the mark was raised to the dignity of a duchy, and it became practically an independent state. But the event most important to the student of present politics was the advent into history of the reigning family of to-day — the House of Hapsburg. Rudolph of Hapsburg became German King and Emperor in 1273, and three years later he compelled Duke Ottokar, who then ruled over Austria, Styria, and Carinthia, to give up the three dominions, and Austria then became the center of Hapsburg interests. In 1453 the duchy was raised to an archduchy, and in 1512 Austrian lands became one of the Imperial Circles. Six years later representatives of the Austrian diets met for the first time at Innsbruck.

In 1519 Maximilian I was succeeded in the archduchy and in the imperial crown by his grandson, known in history as Emperor Charles V, who was a strong supporter of the Catholic Church and a vigorous opponent of Martin Luther and the Reformation. Too much occupied with measures to pre-

vent the Reformation, the Emperor gave his brother Ferdinand all his Austrian possessions, and the latter devoted most of his time to fighting the Turks and to securing the independence of Hungary. These efforts in behalf of Hungary led to the union of the two states in 1526; and when in 1556 Ferdinand also succeeded to the imperial throne the affairs of Austria became involved with those of the Empire, to the detriment of the former. Not until after the Thirty Years' War did Austria receive due attention from the imperial rulers.

The next half century of Austrian history was one of many wars; and at the Peace of Karlowitz in 1699 she gained Slavonia, Transylvania, and nearly all of Hungary, thus completing the territorial structure of the Austrian monarchy. Then followed a period of internal consolidation, laying the foundation for autocratic power which was carried forward under Maria Theresa and continued almost uninterruptedly till 1848. A strong standing army was the instrument by which autocracy was maintained and the spirit of liberty and democracy, released by the French Revolution, beaten down. Indeed the liberalizing forces of the French Revolution affected Austria least of all the states of Europe. She was little molested by the ravages of war during the Napoleonic period; she had, moreover, from 1809 to 1848, as Prime Minister, one of the most influential and commanding personalities of Europe.

A thorough-going reactionary, opposed to revolution from below and reform from above, Prince Metternich was the actual government of Austria. But the Revolution of 1848 which drove Metternich from power, the Crimean War (1854–1856), which cost Austria allies and friends, and her signal defeat in a seven weeks' campaign at the hands of the Germans which excluded her from Germany and Italy, taught the Hapsburgs to pursue a more conciliatory policy toward Hungary. The Constitution or March Laws, as they were called, which the liberal Hungarians had drafted and put into operation for a few months, were restored in February, 1867, and to the Hungarian Diet was left the final adoption of measures of compromise with Austria. The general result of the *Ausgleich* or Compromise was the recognition of Hungary as a coördinate part of the Empire.

Titles of Austrian Rulers

A word should also be said concerning the title of the Austrian rulers. We have seen that the territory which developed into the present empire was at first a buffer county called a mark. Later it was elevated into a duchy, and in 1453 into an archduchy, a dignity which it maintained until 1804, when the Archduke Francis II assumed the title of Francis I, Emperor of Austria, a title held at the present day. But to avoid confusion it should be

remembered that since the coronation of Charlemagne, in 800, as Emperor of the Holy Roman Empire, this title was a thing apart from the title which gave immediate control of a particular territory or state. Thus a King of Saxony or a ruler of Luxemburg might also, in addition to the title conferred by his own state, bear the title and perform the functions of Emperor of the Holy Roman Empire. The latter title had been, since 1273, generally held by the rulers of Austria.

When, therefore, Francis II in 1804 changed the title of Archduke to that of Emperor, he carried two imperial titles. But "coming events cast their shadows before." He feared that he might lose the more ancient title held by Charlemagne; and his fears were well founded. In 1805 the South German states detached themselves from the empire, formed the Confederation of the Rhine, and accepted the protection of Napoleon; and on August 6, 1806, Francis I voluntarily relinquished the crown of the Holy Roman Empire which, during its survival of a thousand years, was with few exceptions little more than an empty title.

The History of Hungary

The Magyars or Hungarians, supposed to have come from Asia, made their first appearance in what is now called Hungary in the latter part of the ninth century. They occupied the valleys of the Danube

and the Theiss between the Slavs of the north and the Balkans of the south, terrorizing the German and French population until in a great battle at Lechfeld, in 955, they were defeated by the Germans and took on a settled mode of life. The reign of St. Stephen (977–1038) is generally regarded as the formative period of their history, and his administration promised the development of a great state; but Hungary had throughout her early history few rulers equal to the task of laying the foundation of an orderly and stable government. The weakness of the sovereigns in the thirteenth century, feudalism, and civil discord brought to the front a powerful class of nobles who overshadowed the throne and made internal consolidation impossible.

The difficulties from without were no less trying. On the north were the Germans and the forces of the Holy Roman Empire; on the east, the natives of modern Roumania; on the south, Greeks and Slavs, Serbs and Bulgars, and later, the Ottoman Turks. On all sides these races were hostile, so that the Magyars were continually fighting, sometimes an offensive warfare in one quarter, or beating back an invasion from another, until they were driven by the ferocious Turks to seek the protection of the Hapsburg monarchy in 1526.

The chief landmark in the constitutional development of Hungary is the Golden Bull of 1222, a charter granting a measure of liberty which has

generally been regarded as the foundation of Hungarian liberty; and it is interesting to note that it was granted only seven years after the famous English Magna Carta. The proximity in time of these two charters suggests comparisons that would be both interesting and profitable if we traced the history of the two documents in detail. But we can here observe only one characteristic difference between the Anglo-Saxon and the Magyar.

In England liberties once won were never again lost. In Hungary, on the other hand, during the next three centuries the national spirit was almost completely annihilated. After the union with the Hapsburg monarchy the government gradually came under Austrian control, and the Hungarian Diet was seldom called into session; and after 1764, not at all. Thus the era of the French Revolution found Hungarian liberty and self-government all but extinct.

For Austria, it must be admitted, the problem of satisfying and at the same time governing the various races in her dominions was not an easy one. The principle of nationality — the erection of a state on the basis of race — in the nineteenth century meant a united Germany, a united Italy, and even a united Russia; but that principle, carried to its logical conclusion in Austria, meant disintegration. She had many races, whose national aspirations constituted, then as now, the great obstacle to unity.

At the same time a more enlightened policy on the part of Metternich in the first half of the nineteenth century, when the forces of freedom were asserting themselves throughout western Europe and in many of the British possessions, might have spared him the exile which awaited him, and at the same time won for him the confidence and coöperation of the Liberals. England learned her lesson in the American Revolution and gave her colonies self-government. This is all Hungary really asked for; but when the liberal movement crept into the Austrian dominions and the liberal spirits took heart and under the leadership of Louis Kossuth and Francis Deák organized a liberal party having for its aim the reëstablishment of autonomy for Hungary, the movement was crushed. The Revolution of 1848 was followed by the reaction of 1849. The Liberals in Hungary lost everything they had been fighting for. The Austrian autocracy was again in control, and in the words of Professor Ogg, "Vienna became once more the seat of a government whose fundamental objects may be summarized as (1) to Germanize the Magyars and Slavs, (2) to restrain all agitation in behalf of constitutionalism; and (3) to prevent freedom of thought and the establishment of a free press." Hungary was governed by German officials from Vienna more despotically than ever. It took Austria two more decades to learn imperfectly what France had

thoroughly learned a half century earlier and what England had understood a century before. The agreement finally reached between Austria and Hungary was, as we have already seen, expressed in the Compromise of 1867, which we will now consider.

The Compromise of 1867

The joint government of the Dual Monarchy is no exception to the principle adopted by all states formed by a union of separate and independent communities — the principle of compromise. All constitutions rest upon the basis of mutual concessions of varied interests. We have already seen what these conflicting interests between Austria and Hungary were, and they need not be repeated here. The plan agreed upon determined the general character of the government from that day to this. The whole country was divided into two parts: (1) the Empire of Austria, including the archduchies of Upper and Lower Austria, the kingdoms of Bohemia, Galicia, and Dalmatia, the margravates of Moravia and Istria, the duchies of Salzburg, Styria, Carinthia, Carniolia, and Bukowina, the county of Tyrol, and the city of Triest; and (2) the Kingdom of Hungary, including Hungary proper, the Kingdom of Croatia-Slavonia, and the principality of Transylvania. Francis Joseph assumed the joint title of Emperor of Austria and King of Hungary.

Each of the two states was to manage its internal affairs, and provision was made for a joint government for certain affairs in which the states had a common concern; other affairs of common interest such as trade, tariffs, public debt, and railways were to be regulated by treaties between the two states, renewable at intervals of ten years. The Compromise also provided machinery for carrying these plans into execution. That machinery constitutes the government of the Dual Monarchy essentially as it is to-day, and will be considered in the next chapter under the following heads: The Common Government, the Government of Austria, and the Government of Hungary.

CHAPTER V

AUSTRIA-HUNGARY: GOVERNMENT OF TO-DAY

The Common Government

In the preceding pages attention has been called to the fact that the Dual Monarchy consists of two practically independent states, each equipped with its own constitution, ministry, legislature, judiciary, and system of local governments. If this relation be kept in mind it may serve to prevent confusing different institutions and organs of government to which the same term is applied. Thus, for example, reference to *a* ministry in the Dual Monarchy might mean any one of three ministries, namely, the Austrian ministry, the Hungarian ministry, or the joint ministry.

The machinery of the joint government is very simple, and the scope of its independent action is very limited. That is to say, the joint government does not have power to deal with all matters in which the two states have a common interest. The Austro-Hungarian government is peculiar in this respect, and the limitations thus placed upon it give rise to many embarrassing situations which

would not occur in a government like the American where all powers in which the states have a common interest are exercised exclusively by the central government.

The Austro-Hungarian arrangement provides that the joint government shall have exclusive control of only a few of the many interests that are common to both states.

The special machinery of the joint government consists of (1) a single ruler who bears the title of Emperor of Austria and King of Hungary; (2) a common ministry consisting of three departments: foreign affairs, military and naval affairs, and finance relating to common affairs; and (3) a unique political invention called the "Delegations."

The legislative power of the joint government is exercised by the parliaments of both states acting independently of each other, but the determination of what constitutes common affairs and the recommendations of the money to be voted for common services are determined by the Delegations. Of these there are two, each composed of sixty members representing the legislative bodies of the two states, twenty being chosen from each of the upper houses and forty from each of the lower houses. All members of both Delegations are elected annually and may be reëlected. The Delegations are called into session by the Emperor-King every year alternately at Vienna and Budapest. They sit in separate

chambers and deliberate independently of each other; their decisions are communicated in writing; and if after three interchanges of opinion they do not agree, both Delegations meet together and, without discussion, settle the matter by vote.

The Delegations are virtually committees representing the legislatures of the two states; but they are clothed with some powers and certain responsibilities not usually vested in legislative committees. The joint ministers are responsible to them; they submit all projects in which common action is necessary to the legislatures of the two states; they prefer charges of impeachment for violations of the constitutional law pertaining to common affairs, and they select judges to try cases of impeachment.

The chief executive power of the joint government reiides in the monarch, but his powers as Emperor-King are very limited, the most important being the appointment of the joint ministry and the command of the common army and navy. But while the supreme command is vested in the joint monarch, each country maintains its independent arrangements for raising and equipping troops.

Besides the permanent political connection between Austria and Hungary, the main features of which are here described, there is also a commercial union which is not permanent, but renewable at intervals of ten years. This part of the union is put in the form of treaties and covers customs

legislation, indirect taxes, regulations concerning interstate railways, and the establishment of a system of defense. The proportion which each state contributes to meet the joint expenditures is also fixed by treaties. In 1907 Austria's share was fixed at 63.6 per cent and Hungary's at 36.4 per cent.

The joint government also exercises control over the provinces of Bosnia and Herzegovina. By the Congress of Berlin in 1878 the military occupation of these two Turkish provinces was intrusted to Austria-Hungary, and in 1908 they were annexed to the Dual Monarchy. This annexation was brought about through the desire of Austro-Hungarian capitalists to exploit the economic resources not only of the two provinces but also of Albania, western Macedonia and Salonica and was one of the chief causes of the Great War. In 1910 they were given a constitution providing for civil government with a local diet; but all laws passed by the local legislature must have the assent of both the Austrian and Hungarian ministries.

Government of Austria

The constitution of the Austrian Empire consists of a series of diplomas, patents, statutes, and amendments, the enactment of which covered a period of about two hundred years; the first of the more important being the Pragmatic Sanction of 1713, and the last a series of five fundamental laws bearing

the date December 21, 1867, when the government was put essentially into the form which it has to-day. Since the Compromise of 1867 a number of amendments have been made, the most important of the more recent ones being that of 1907 which redistributed the seats in the lower chamber and extended the suffrage.

The fundamental laws as finally revised provide for a limited monarchy with a responsible ministry, a legislative body consisting of two chambers, and a system of local self-government within each of the seventeen states that make up the Empire. The form of government may be changed by the same method employed in ordinary legislation, except that an amendment requires a two-thirds vote of both houses instead of a simple majority.

The Emperor is the supreme authority of the state, and all powers not expressly vested elsewhere remain with him. An unusual provision in the fundamental law gives the Emperor the power of issuing ordinances having the force of law if an urgent situation demands it and the legislature is not at the time in session. The only limitation placed upon the Emperor's absolute authority in legislative matters in such emergencies is the proviso that such ordinances shall be signed by all the ministers and that they shall cease to be binding if not presented to, and approved by, the legislature at the next succeeding session. The ministers are,

however, appointed by the Emperor, and in practice this power has frequently been exercised and the government made to run year after year upon the sole authority of the executive department. Aside from the powers conferred by this provision of the Constitution, the Emperor has those powers common to rulers of continental Europe.

The organization, powers, and duties of the ministers are in general also similar to those in the other countries of the Continent which have already been described. Ministers are nominally responsible to the Reichsrat, but are appointed and dismissed by the Emperor; and, under the leadership of the premier, they serve as the Emperor's councillors, execute his will, and administer the affairs of their respective departments. Though nominally responsible to the Reichsrat, in practice they are more dependent upon the Emperor than upon Parliament.

In theory Austria has a parliamentary system of government similar to that of England, but on account of the numerous and sharp racial divisions in both branches of the legislature, the Emperor has little difficulty in playing off parties against one another so as to defeat representative and responsible government. In justice to the government, however, it should be said that the problem of governing by the consent of a majority is at best a difficult one, as we shall see when we come later to consider the racial question at the end of this chapter.

The Reichsrat or Parliament consists of an upper and a lower house. The upper house or House of Lords is entirely non-elective. The total number varies from time to time, but it is composed of princes of the imperial family, landed nobles nominated by the Emperor, archbishops, bishops, and members appointed by the Emperor for life from men who have distinguished themselves in art or science or have rendered important services to the state. The number of the last-mentioned class was fixed by law in 1907 at not less than 150 nor more than 170.

The House of Representatives has a total membership of 516, elected for a term of six years by universal, equal, and direct suffrage. All male citizens over twenty-four years of age who have resided at least one year in the voting precinct are allowed to vote. The electoral districts are, so far as possible, each composed of a uniform nationality, and as a rule one member is elected from each district, but in thirty-six districts of Galicia two members are elected from each district. In these districts, however, each elector is allowed but one vote, and the candidate having the largest number of votes recorded is first deputy, while the one receiving the next largest number is regarded as second deputy. In Moravia the voting population is divided according to nationality so that German and Bohemian electors, for example, choose their representatives

separately. In eight of the Austrian provinces voting is compulsory. The Emperor nominates the president and vice-president of the House of Lords, while the House of Representatives elects its own officials.

In the earlier pages of this volume the parliamentary system of government is described, and England is cited as the most conspicuous example not only of the responsible parliamentary system, but also as the best example of a party government or a government by a majority of the governed.

Such a government obviously can be successfully operated only when a single party controls a majority in parliament or where a number of parties unite and work together harmoniously to attain a common purpose or end. Unless such a union can be effected, neither a responsible nor a democratic government is possible. In Austria the important question of responsibility at once suggests the still more important question — Responsible to which party? The answer to this question may best be given in concrete form by calling attention to the number of parties and the membership of each in the lower chamber in 1911. There were in the House of Representatives at that time 100 German Nationalists, 73 (German) Christian Socialists, 49 German Social Democrats, 84 United Bohemian Club, 25 Bohemian Social Democrats, 28 Ukraine Union, 70 Poles, 9 Polish Social Democrats, 27

Croatio-Slavonian Club, 7 Dalmatians, 27 Uniolatina, and 23 Independents. Under such conditions a more enlightened statesmanship than Austrian premiers have hitherto shown will be necessary to form a government "where the common sense of most shall keep a fretful realm in awe."

Provincial and Local Government

Since the outbreak of the Great War the question of the break-up or dismemberment of the Dual Monarchy has received much attention from newspapers; and even the chancelleries of the warring powers have seriously discussed it, and in some instances have practically committed their states to the policy of dismemberment as a condition of peace. The wisdom of such a policy does not come within the scope of these pages, but since the question is much talked about it seems advisable to call attention to the agencies already at hand whereby the Austrian peoples might, so far as mechanism is concerned, now be governed entirely by seventeen independent states without the interference of the imperial government.

Each of the seventeen provinces has all of the machinery necessary for carrying on all the functions of government; each has a Diet with a single chamber made up of representatives from six different classes; namely, the church, the universities, the great estates, towns, boards of com-

merce and industries, and rural communes. The suffrage qualifications vary in different provinces as do also the number of representatives in the different diets. The latter range from 242 in Bohemia to 26 in Vorarlberg.

The Diet controls all local bodies, has charge of local taxation, educational, ecclesiastical, and charitable institutions, and public works. In general the Diet has all powers not expressly reserved to the imperial government. The executive powers are exercised by a provincial council consisting of the president of the Diet, who is nominated by the Emperor and *ex-officio* chairman, and from four to eight members variously elected within the province. The provinces are also subdivided into districts and communes, each with elective bodies for legislative purposes and committees selected from these bodies to administer local affairs.

The Government of Hungary

The Constitution of Hungary proper and Croatia-Slavonia is of very ancient origin, dating from the occupation of the Magyars about 891. The first king, St. Stephen, was crowned in the year 1000, and the first constitutional code is the *Bulla Aurea* of King Andrew II, granted in 1222. But since the union with Austria in 1526, the suppression of the Magyars had been a cardinal point in Hapsburg policy, and consequently there is little evidence of

constitutional development in Hungary until the Revolution of 1848. The Constitution drafted at that time, and suspended the following year, was restored in its essentials in 1867 and forms the general plan of the central government of Hungary to-day.

The Austrian Emperor is King of Hungary, and the fundamental law provides that "His Majesty shall exercise the executive power in conformity with law, through the independent Hungarian ministry, and no ordinance, order, or appointment shall have force unless it is countersigned by one of the ministers residing at Budapest." The Ministry which is responsible to Parliament now consists of ten heads of departments and two members without portfolios. The powers and functions of the Hungarian ministers are in general so similar to those of other governments of the responsible type that they need not be described here.

The legislative power is vested in the Hungarian Parliament which consists of two houses — the Table of Magnates and the Chamber of Deputies. The Magnates is composed of Hungarian princes and a limited number of archdukes, landed proprietors, archbishops, bishops, and other deputies of the Roman Catholic and Greek churches, lay representatives of the Protestant confessions, and life peers appointed by the Crown. The Chamber of Deputies is composed of 453 members elected by

male suffrage restricted by the condition of a small direct tax on land, home, or income, varying with occupation. But certain classes belonging to scientific, learned, and other professions are entitled to vote without other qualifications.

Provincial and Local Government

While the Magyar element in Hungary has consistently fought against the interference of Austria in the eastern part of the Dual Monarchy, it has been less generous than Austria in the matter of granting local self-government to the political subdivisions within the state. Dalmatia was united to Hungary proper in the twelfth century, and Transylvania, which had a considerable measure of local autonomy, was united to the Kingdom in 1848. The provinces of Croatia and Slavonia are, in matters pertaining to war, trade, and finance, on an equal footing with the other parts of the state; but in religion, education, justice, and local affairs generally, they have local autonomy. These two provinces together constitute a unit and have a Diet with 90 members elected for five years; they have 40 members in the Chamber of Deputies and 3 in the House of Magnates. They also have their own ministry consisting of three departments, but at the head of the whole ministry is the Ban, a chief executive, who is appointed by the Crown. In Hungary proper the principal unit for local

government is the county, with a council, presided over by an official appointed by the Crown, and a committee forming the local executive. Municipalities are organized and governed upon the same general principles as those of the counties.

The Problem of Races in the Dual Monarchy

Having briefly described the relations of the complex mechanism of the government of the Dual Monarchy — the division into two parts, the subdivision of these parts into provinces and local units, the governmental relation of these units to each state or province, the relation of these in turn to Empire or Kingdom, and the final union of the latter through a common government — we are prepared to appreciate some of the problems of the Austro-Hungarian government to which the World War has called special attention and in which our own government has frequently expressed an interest. "Dismemberment of the Empire," "self-determination," "Bohemian independence," the "Hungarian revolt," the "Magyars," the "Czecho-Slovaks" — all are current phrases, all are problems — world problems — and the Dual Monarchy must face them all.

But no attempt to understand the problems of Austria-Hungary can meet with success that does not take account of two important facts — its geography and its races. These are the constant

factors which must always be kept in mind. Situated in the center of Europe, with an irregular boundary line, with a thin arm extending west to Lake Constance and the Rhine, a projection as far north as Saxony, an elbow thrust into the interior of Russia beyond the Vistula and the Dniester, and a long strip extending far south along the eastern shore of the Adriatic, the problem of defense is a serious one. There are eight foreign states on the land frontier and four hundred miles of coastline furnishing avenues of attack from without.

Her internal racial diversities are still more threatening. The ruling family is German, and much of her civilization and many of her institutions bear the Teutonic impress. But out of a total population of 51,000,000 in 1910, there were only 12,000,000 Germans, while the non-Teutons numbered 39,000,000, of whom 10,000,000 were Magyars, 4,000,000 Latins, and 24,250,000 Slavs. But the Slavs were separated geographically and divided by language, customs and religion.[1] These divisions have enabled the German minority to govern the country and to check the reform movements of the last hundred years; they have enabled the Hapsburgs to play off one party against another and to hold the balance of power, which has in-

[1] Distribution of population by states in 1910 was as follows: Austria, 28,571,934; Hungary, 20,744,744; Bosnia and Herzegovina, 1,898,044; a total of 51,215,727.

variably been placed in the scale of reaction. It was this division of races which enabled the Hapsburgs to defeat the liberal Austrian and Hungarian constitutions in 1848; it defeated the Slavic movement in Bohemia in the same year; and the Magyars applied the same principle to defeat the Croatio-Slavonic demands in Hungary; the Czechs came into conflict with the Pan-Germans of Austria and the Slovaks into conflict with the Hungarian revolutionists under Kossuth. It would therefore be a mistake to suppose that playing off one party against another was a prerogative of any single nationality; all have adopted the same methods, but of course not always to the attainment of the same ends. The Liberals, in so far as they have represented national policies, have generally stood for a greater degree of local self-government and for equal opportunities for all, while the Conservatives have generally favored privileges, and the *status quo ante*, in a word — reaction.

But political differences, such as those just mentioned, need not and would not give the government serious concern. The real basic problem is, and has always been, the problem of races — a social rather than a political problem; and the racial and social aspirations have been reflected in the form of government and in nearly all of the political and social institutions. The Compromise of 1867 was simply an agreement on the part of different nation-

alities to live together and tolerate each other for the time being. It was merely a political truce which satisfied none of the races or parties and which was sure to be broken at the first moment in which any one of the parties to the agreement could gain an advantage, recover a lost right, or win a new privilege. The Great War furnished the moment, and the Czecho-Slovaks were the parties which struck for the recovery of lost rights and the attainment of new privileges in a wider liberty. Their movement is so important that it demands a word of explanation.

The Czecho-Slovaks

Immediately after the declaration of War, the Czecho-Slovaks arraigned themselves on the side of the Allies and against Austria-Hungary. Czecho-Slovak soldiers in the Austrian army refused to fight, surrendered to the enemy in large numbers, and even formed legions in the Allied armies. Repressive measures on the part of Austria seemed only to intensify opposition and to organize it. A Czecho-Slovak National Council was formed, which elected Professor Thomas G. Masaryk as president. Under his able leadership this council, which was really a provisional government, organized Czech and Slovak colonies in the allied and neutral countries; and on November 14, 1915, it declared the Hapsburgs deposed from the throne of Bohemia.

The leaders of the movement take the position that the formation of the Austro-Hungarian monarchy of which they became a part was created by their express agreement, that the agreement has been violated, that the union was formed primarily to meet the danger of Turkish invasion, and since that danger no longer exists, there is no longer reason for its continuance.

The government of the United States took an important, though not unprecedented, step when on September 2, 1918, it declared "that a state of belligerency exists between the Czecho-Slovaks thus organized and the German and Austro-Hungarian Empires." It also recognized the Czecho-Slovak National Council, with headquarters at Washington, "as a *de facto* belligerent Government, clothed with proper authority to direct the military and political affairs of the Czecho-Slovaks," and expressed its willingness "to enter formally into relations with the *de facto* government thus recognized, for the purpose of prosecuting the war against the common enemy." France, Great Britain, and Italy had already recognized the Czecho-Slovak National Council and the Czecho-Slovak army.

The Czechs inhabit Bohemia, Moravia, and Austrian Silesia, which under the present constitution are parts of the Austrian Empire. The Slovaks live in the northern part of Hungary adjoining the Czechs on the east and southeast. On the basis of

the present movement the boundaries of the new state will embrace Bohemia, Moravia, Silesia, with their historic boundaries, and the northern part of Hungary — an area four times as large as that of Belgium and including a population of about 12,000,000. Dr. Masaryk, the President of the National Council, has expressed the opinion that a constitution would be adopted that would "provide for a President and two legislative chambers, a Senate and a House of Representatives," similar to that of the United States, and also an "elaborate system of local self-government, as a means of insuring a democracy that is not one in form alone."

Several important Pan-Slavic Congresses have recently been held to further the movement for absolute independence from Austria; and at the present writing (November, 1918), there are many reasons for believing that the Czecho-Slovak movement will express itself in an independent state. Meantime the Slavs of other provinces and states both north and south of the Czecho-Slavs are organizing for independence and the Hungarians are threatening to bring about a complete separation from Austria. To what extent the present race movements in favor of self-determination and independence will be realized is known only to the gods; but that the Austro-Hungarian Empire of the present will not be the Empire of the future, is a foregone conclusion.

CHAPTER VI

THE GOVERNMENT OF BELGIUM

The History of Belgium, 1579–1914

THE territory now called Belgium was once the southern portion of the Netherlands. Its history as a separate state may be said to begin in 1579, when the southern Netherlands broke away from the northern provinces and declared their loyalty to the Spanish King. From that time till the fall of Napoleon, Belgium was governed successively by Spain, Austria, and France. In 1815 the Powers at the Congress of Vienna united it with Holland, and both states were governed by the Prince of Orange, who then took the title of King William I.

The government under the union, however, was more favorable to the Dutch than to the Belgian provinces. Dutch, the language of Holland, was made the official language, though French was quite generally spoken in all of the Belgian provinces. The Dutch were generally Protestants; the Belgians, Catholics. In fact, the two sections had for 130 years passed through totally different experiences and had drifted apart from each other in character,

habits, and ideas; and the Belgians, opposed to the union from the start, were each year becoming more dissatisfied.

When the news of the success of the July revolution at Paris reached Brussels, riots broke out and the Belgians felt that the opportune moment was at hand. They rose in revolt and declared their independence.

A Constitution was adopted February 7, 1831, which remained practically unchanged for over sixty years. It is the oldest written constitution still in force on the Continent of Europe except the Constitution of the Dutch; and it has generally commanded the admiration of students of government. The success of its framers was due to the fact that the structure they reared had as its basis very little abstract theory and very much sound common sense and long-continued usage. It rested upon the charters and privileges of the different provinces and cities, which dated from the Middle Ages and which had never been forgotten or revoked, even by Spanish and Austrian oppression. There was but one feature in the document which gave the liberals concern; suffrage rested on a narrow basis. But a movement gradually set in to bring about a reform. In 1886 socialism had become an important factor in politics, and a reform movement was begun which resulted in 1893 in a revision of the constitution, granting universal male suffrage.

At the outbreak of the Great War in July, 1914, Germany, contrary to a promise to guarantee the neutrality of Belgium, and contrary to international law, invaded Belgium, and on August 20 occupied Brussels; October 9th the Germans were in possession of Antwerp, and on the 15th of the same month they occupied Ostend. The Belgian government withdrew to La Havre, France, where it was assured protection and the right to exercise all sovereign powers. Later Germany took over the civil government of the occupied territory, but the democracies of the world assured Belgium that they would consider no peace that did not unconditionally restore to the Belgians their territory, sovereignty, freedom, and independence, and indemnity for the great wrong inflicted upon an innocent government. The events of August, 1914, and their sequel have attracted the attention of the world to Belgium; and the heroic behavior of its people has won universal admiration. Yet history shows that the Belgians were a people possessing remarkable qualities long before the Great War came to remind us of them. Their nobility headed the crusades and their common people established the first free city life north of the Alps. In the present ordeal they have acted greatly because they have greatness in them; and their government is worthy of study not merely because the first assault upon liberty was checked on Belgian soil, but because the Belgian

government is one of the best types of the small state.

Government

Belgium has a constitutional, responsible, and parliamentary system of government. In no country is the liberty of the citizen better guaranteed, and the Constitution throughout breathes the spirit of a free people. Not satisfied with the usual provisions concerning freedom of speech, press, worship, petition, and assembly, the framers of the Constitution seemed determined that public opinion should under no circumstances be hampered in its free development by providing that "no censorship shall ever be established." The Constitution was drafted by a National Assembly chosen for that purpose, but it may be amended by a method rather simple; when the legislature decides that an amendment is advisable, both houses are dissolved and a new election is called. If each house of the newly elected Congress by a two-thirds vote favors the amendment, and it has the approval of the King, it becomes a part of the Constitution.

While Belgium has a King and may properly be called a constitutional monarchy, it has in the best sense a government of laws and not of men. The legislative power is vested in a King, a House of Representatives, and a Senate. The members of the House are chosen directly by the people and are

apportioned among the provinces according to population. They are elected, moreover, by a system of proportional representation through which the minority parties are represented in the lower House in proportion to the popular vote cast at the election. The term of office is four years, and one half of the members are elected every two years.

The suffrage qualifications are interesting. Every male citizen twenty five years of age, who has been a resident of the commune for one year, has one vote. If he is a married man or widower and thirty five years of age and pays five francs in taxes, he has two votes. If he is twenty five years of age and owns real estate worth 2000 francs, or has an income representing a corresponding value, or owns government securities paying an interest of 100 francs, or holds a certificate from an educational institution of the higher grade, or is a public office holder, he has three votes. But no one has more than three votes. Moreover, voting is obligatory.

The Senate is composed of 120 members elected for eight years, partly directly and partly indirectly. Twenty-seven of the members are now elected by the provincial councils; the remaining number, which is equal to one half the number of representatives, is elected by a direct popular vote by the same method employed in the election of members to the lower house.

The executive power is nominally exercised by

the King, but he is bound by the Constitution, which provides that "he shall have no other powers than those which the Constitution and the special laws under the Constitution confer upon him." The executive powers are actually exercised by a council of ministers who together with a number of ministers without portfolios, form the Council of State, an advisory body convened by the Crown as occasion requires. All ministers are appointed, and may be dismissed, by the King. They are nearly always members of the Senate or House, with the right to vote only if they are members. The ministers are always party leaders, and Belgium has therefore a party government. There have always been since 1830 at least two political parties, the Catholics and Liberals, and all ministries before the outbreak of the Great War have represented one of these parties or a coalition of both.

For the first fifteen years under the present Constitution the country was governed by a coalition ministry. But in 1846 the parties separated and the government has alternated between Liberals and Catholics. At the outbreak of the War in 1914, the Catholic ministry, then in power, made itself into a coalition ministry by admitting the leaders of the Liberals and Socialists. The division between the Catholic and Liberal parties has always been and still is primarily religious. The election of 1894 — the first after the extension of the franchise

— gave the Socialists for the first time a place in Parliament. They occupied twenty-nine seats, and though their number in Parliament is comparatively small, they have a remarkable band of intellectual leaders, and through the force of their ideas they have accomplished much for social reform.

The Belgian government is extremely sensitive to popular reaction; there is nothing whatever either in its fundamental law or in its practice and spirit that tolerates autocracy. Whatever may be the motives which underlie parties and impel party leaders, there is no concession or appeal to royalty. The present King is beloved because he is popular, not because he belongs to a privileged class. In fact, in no other government is executive responsibility to the popular will so safeguarded as in Belgium. The King may not even pardon a minister who is sentenced by a court except upon request of the two houses of Parliament, and "no decree of the King shall take effect unless it is countersigned by a minister who, by that act alone, renders himself responsible for it." Nor shall any "verbal or written order of the King relieve a minister of responsibility." Subject to these restrictions, the King calls and dismisses Parliament, and appoints numerous officials in the administrative and foreign services. He is commander-in-chief of the army and navy, declares war, concludes peace, and makes treaties, but certain treaties must be approved by

both houses. He promulgates all laws and issues all regulations necessary for the execution of the will of Parliament. In law he has the veto power; in practice he does not exercise it, and for obvious reasons, for if he did, the executive would not be responsible to the people nor to the popular branch of government.

Justice

The Belgians claim to possess an almost perfect code, and indeed their judicial system has received so much praise from foreign critics that a word concerning the administration of justice may not be out of place even in a brief outline of government. The courts of law, beginning with the lowest, are: justice of the peace, one for each of the 342 cantons; next above them are courts of first instance, one in each of the 26 *arrondissements*, each having three judges; above these are three courts of appeal, sitting in Brussels, Ghent, and Liege; and crowning all, is the Court of Cassation or Supreme Court which sits at Brussels. This court has a peculiar function, since it never tries cases except when a minister is accused. It decides in case of doubt in what lower court a case shall be tried, and it reviews all decisions of the lower courts, whether appealed or not, to see if they are in strict accord with the code; and if they are not, the verdict is annulled. There is only one judge in this court, but he has the

assistance of a large staff of reviewers. The president of this court is the highest legal functionary in Belgium. Criminal cases are tried in police courts, correctional courts, and courts of assize. There also are various special courts, but a description of their organization, powers, and methods of procedure would carry us beyond the scope set for this outline.

Local Government

Belgium is made up of nine provinces, which are subdivided into 26 *arrondissements* or districts, 342 cantons, and 2623 communes. The provinces and the communes are the chief units for local governmental purposes; the *arrondissements* are primarily for electoral and judicial districts, and the cantons form the areas of the jurisdiction of the justices of the peace. The provinces are governed by a popularly elected council, which in turn elects a board of six members, and by a governor nominated by the King. The council represents the local interests and the governor forms the connecting link between the central and local governments.

Area, Population, and Language

Belgium has an area of 11,373 square miles, and in 1910 had a population of 7,423,784, or an average density of 652 per square mile. The great qualities of her people might incline one to forget the small area in which her history has been made. The

significance of the above figures may be appreciated by comparison with an American state of average area: Ohio has an area of 41,040 square miles, and in 1910 had a population of 4,767,121, or an average density of 117 per square mile. Brazil in 1900 had an average density of population of 5.4 per square mile.

The principal languages spoken by the people of Belgium are French, Flemish, and to a much less extent, German. In 1900 the extent to which these languages were used was as follows:

French only	2,574,805
Flemish only	2,822,005
German only	28,413
French and Flemish	801,587
French and German	7,238
The three languages	42,889

The racial and linguistic distinctions in Belgium at once suggest comparisons with two other states where similar conditions prevail — Austrio-Hungary and Switzerland. The government and some of the problems of the Dual Monarchy have already been described. The rule of the Hapsburgs has threatened the state with disruption, while in both of the small states the people are united. The chief reason for this is obvious: in the large state we find autocracy; in the two smaller states, liberty.

CHAPTER VII

THE GOVERNMENT OF BRAZIL

The History of Brazil, 1500–1891

To the average person Brazil is still a country without a past and noted chiefly because it contains the Amazon, dense tropical forests, boa constrictors, and anacondas. Yet it has an ancient and exceedingly interesting history. For the purpose of this sketch, however, the history of Brazil begins in 1500, when a Portuguese navigator, Pedro Alvares Cabral, landed not far from the present city of Bahia and took possession of the country in the name of the King of Portugal. For a time the Crown paid little attention to the new possession, but about the year 1530 the country was divided into hereditary districts called "captaincies" which were granted to nobles willing to undertake their settlement. The heads of these captaincies were given unlimited power of government. Each district extended along fifty leagues of coast, the interior boundary being undefined.

Settlements began under this system in the year 1531; and by 1548 the captaincies had been exploited

to such an extent as to call the attention of the mother country to the need of a change in government. Each captaincy was independent of the others, and the difficulties resulting from this fact, together with Spanish rivalry, internal disorder, and Indian attacks from without, led to the appointment of a Governor-General in 1549. With him came the Jesuits, who soon gained control over the natives; and to prevent the Indians from being enslaved by the colonists, the Jesuits encouraged the importation of African slaves who were brought into the country in considerable numbers during the next two centuries.

Thus with the advent of a foreign government, foreign colonists, and foreign slaves, and the division of the country among foreign nobles, there was laid the foundation of a new Empire — and of the present Republic — so vast in area and fertile in resources that it was destined in time to become one of the leading powers of the world. It is therefore not strange that this "Land of the Holy Cross," as it was first called, should attract the attention and stimulate the rivalry of the leading powers of Europe, for from 1555 to 1640 the country suffered numerous invasions from the French, Dutch, and British, who sought to gain a foothold on Brazilian soil. But it remained a colony of Portugal until 1815, when it became an integral part of the Kingdom of Portugal, Brazil, and Algarves.

When in 1807 Napoleon invaded Spain and Portugal, the Prince Regent of Portugal, afterwards Dom John VI, with his family and court, retired to his American colony and made it the center of his government. He arrived at Bahia, January 21, 1808, and opened the ports of the country to the commerce of the world. But on the 8th of March following he changed the seat of government to Rio de Janeiro, where he remained until 1821, when he returned to Portugal and appointed his eldest son, Dom Pedro, regent of Brazil. The change in government was not, however, due to the voluntary abdication of Dom John. That monarch ruled Brazil from the standpoint of Portuguese rather than Brazilian interests, and he was not in sympathy with the republican principles liberated by the French Revolution. The result was the formation of a Brazilian party favorable to independence. Dom Pedro was in sympathy with this movement, placed himself at the head of it, and on September 7, 1822, he formally proclaimed Brazil independent of Portugal and was crowned as Emperor of Brazil on October 12, 1822. He was a wise ruler, and under him Brazil prospered, but in 1831 he abdicated in favor of his infant son, Dom Pedro II, who was then but five years of age. A regency was appointed to govern during his minority; although nine years later the legislature disregarded the age of the Emperor and declared his majority.

On the 23d of July, 1840, at fourteen years of age, Dom Pedro II began his long reign, which continued until 1889, when the people of Brazil, feeling that they had advanced far enough in civilization and self-government to dispense with monarchy, proclaimed the present Republic. This revolution was one of the most remarkable events in the history of the world, for without bloodshed and with little disturbance, monarchy was overthrown and a republican form of government established. Yet the change was more apparent than real, for Brazil is no exception to the rule pointed out by Lord Bryce in his *American Commonwealth*, that "great institutions which command the obedience and respect of mankind are deeply rooted in the past." After the establishment of a provisional government, a new Constitution was drafted by a commission, revised and amended by an elected constituent assembly, and adopted February 24, 1891, providing for "the Republic of the United States of Brazil."

The Constitution

The government of Brazil is closely modelled after that of the United States. The Constitution provides for a "federal republican representative form of government." The written Constitution itself, however, while resembling the Constitution of the United States in many respects, both in content and arrangement, is much longer than the American

Constitution, and deals with many matters of detail which in the United States are left to Congress. Another important difference is in the methods of amendment. The American Constitution, it will be remembered, is unique in this respect, since it cannot be amended by the legislature as most written constitutions of Europe are, but by an authority outside of the sphere of the national government, that is, by the people acting through the states; and it requires for ratification the assent of three fourths of the states.[1] An amendment to the Brazilian Constitution, on the other hand, may be ratified, one year after its proposal, by the simple act of two-thirds of both houses of Congress. In this very important respect the Brazilian Constitution resembles more nearly the written constitutions of Europe than that of the United States.

The State Government

But a written Constitution, whatever its aim or purpose may be, is merely an outline of government and should not be confused with the actual government itself, which may or may not conform in practice to the letter of the Constitution. An examination of the Brazilian system itself, however, reveals many parallels between the government of Brazil and that of the United States. Like the United States, Brazil has a general government and

[1] See Constitution of United States, Art. V.

state governments. There are twenty states, and there is one federal district.

Each state has its own Constitution, its own officials, and a very large measure of independent authority. It has exclusive control of its public lands, mines, industries, and all local affairs. Indeed the doctrine of state rights has a legal sanction in the Brazilian Constitution carrying with it unusual powers. The states may levy export duties on goods manufactured within the state; they may also levy import duties on goods shipped into the state if such goods are intended for consumption within the state, but the revenue collected from imports must be turned into the federal treasury. In this respect the powers of the Brazilian states are much more extensive than those of our own states; but in the authority of a state over local governments, the Brazilian Constitution has an important restriction placed upon the states. Whereas each of our own states has complete control over municipalities, the Brazilian Constitution provides that "the states shall organize themselves in such a manner as to assure the autonomy of the municipalities in all that relates to their particular interests." Generally speaking, however, the states have all powers not denied them by the federal Constitution or granted to the federal government in that Constitution. As in our own government the tendency in Brazil is toward centralization.

The General Government

As in the United States, the general government is divided into three departments, the chief organs of these departments being a National Congress, a President, and a federal Supreme Court. The National Congress consists of two houses, the House of Deputies and the Senate. The House of Deputies is composed of 212 representatives of the people elected by a direct popular vote from the states and federal district, according to population. The number of deputies is fixed by law, but it shall not exceed one for every seventy thousand inhabitants, but each state shall have at least four deputies. They are elected for a term of three years, the only qualification being citizenship for more than four years and the right to be registered as an elector.

The Senate is composed of 63 members, three senators being elected from each state and three from the federal district in the same manner as the deputies. In both cases minority representation is required by the federal Constitution. Senators must be over thirty-five years of age, and citizens of Brazil for more than six years. They are elected for a term of nine years, one third being renewed every three years.

Congress meets every year on May 3 and must continue in session four months; but extra sessions may be called by the President. Its general powers

in the matter of legislation, and the powers of each house separately, are in general similar to those of the American Congress, the chief difference between the two bodies being that in the Brazilian Congress the lower house is elected for three years and the upper for nine years, whereas in America they are elected for two and six years respectively. In addition to the special right of impeachment and of originating money bills, exercised by the American House of Representatives, the Brazilian House of Deputies has the exclusive right to initiate proposals for the adjournment of Congress, for laws fixing the strength of land and naval forces, and of proposals for discussing recommendations made by the executive.

The executive power is vested in the President, who, together with the Vice-President, is elected by a direct popular vote for four years; but he cannot be reëlected for the succeeding term. He must be a native of Brazil, thirty-five years of age, and in the enjoyment of political rights. If a vacancy in the presidency or vice-presidency occurs before two years of the term have expired, a new election is held. Otherwise the succession to the presidency passes from the President to Vice President, the Vice President of the Senate, the President of the House of Deputies, and the President of the federal Supreme Court, in the order named.

The powers of the President are similar to those

of the President of the United States. He appoints the members of his Cabinet, seven in number, the diplomatic corps, consular agents, judges of the Supreme Court, and other civil and military officials, with the approval of the Senate.

The relations of the Cabinet to the President and to Congress are also similar to those of the United States. The theory of separation of powers is prescribed by the Constitution and carried into practice. Like the United States, Brazil does not have a cabinet or party government like that of England, France, and Italy. In fact, parties in Brazil do not center around political issues as in the other states which we have described, but rather around leaders. At present, the nearest approach to the party system found in the states having party government is in the contest between those who favor greater central control and the champions of state rights.

The judicial power is vested in the federal Supreme Court, which sits at the capital of the republic, and in as many inferior courts as Congress may create. The Supreme Court is composed of fifteen justices appointed by the President, with the consent of the Senate; and there is at present one federal judge in each state. The latter are also appointed by the President, but upon recommendation of the Supreme Court. All federal judges hold office for life; but members of the Supreme Court

may be removed on impeachment tried by the Senate; the inferior federal judges may be removed only by a judicial sentence of the Supreme Court. An important provision in the Constitution encourages arbitration by providing that Congress may "authorize the government to declare war, when arbitration has failed or cannot take place."

Population and Resources

Brazil is the largest of the South American countries, and the second largest of the American republics. It has an area of 3,290,000 square miles and a population of 27,000,000, largely of Portuguese descent, and Portuguese is the official and popular language. The native aboriginal people have left little impress upon the country and are now found only in the immense interior. Their number is estimated at about 500,000. In the northern areas there is an intermixture of blood with the Africans, imported in the early history of Brazil to form the working population. In the southern states there are about 400,000 Germans, and in the central states 1,500,000 Italians. The number of Spanish descent is estimated at 400,000. These different races make up the population of to-day. The capital, Rio de Janeiro, has a population of 1,500,000.

Brazil has a coast line of over 5000 miles with many fine harbors, and an extensive commerce

with all the principal countries of the world. The exports in 1916 were $257,000,000, and the imports, $195,000,000. The chief exports are coffee, rubber, herva matte, hides, cacao, tobacco, cotton, and sugar; the chief imports are food products, machinery, steel and iron, textiles, woods, pelts, and skins. Brazil was the first American colony to make agriculture the chief aim of colonization, and that industry still holds first place in the industries of the republic. The first railroad was built in 1854; and in 1914 there were over 14,000 miles in operation. About one-fourth of the railways are owned by the states, one-seventh by the federal government, and one-third are owned by the federal government and leased. The rest are concessions to private concerns granted by the federal government. Steamship lines connect the principal ports of Brazil with those of the United States and Europe. Fifty trans-Atlantic lines are registered as touching Brazilian ports.

The peace strength of the regular army is about 32,000 men. The war strength exceeds 300,000 men. The navy consists of 57 vessels with a complement of 13,000 men.

Public education is secular, but there are many private schools. Education is supported by the federal and state governments and there are also municipal schools. Some states have compulsory education. The church is entirely divorced from

the state. With its splendid history, its democratic government, its wealth of resources, its free system of public schools, and its liberty-loving and progressive people, Brazil, already a great world power, will indeed be a potent factor in making and keeping the world safe for democracy.

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Periodicals

Among the periodicals the following combination is suggested as covering an adequate range of current political information and at the same time stimulating independent and critical thought. American: *The Nation,* a weekly accompanied with a valuable bi-weekly section on *International Relations; The New Republic;* The New York Times *Current History,* a monthly magazine; The American *Review of Reviews;*

The American Journal of International Law; and the *American Political Science Review.* English: *The Nation, The Spectator, The New Statesman,* and the *Saturday Review* are among the leading weeklies, while among the monthlies and quarterlies the *Contemporary Review, Nineteenth Century, Edinburgh Review, Quarterly Review,* and *Fortnightly Review* are all very excellent. No list of periodicals, however brief, should omit the famous French *Revue des Deux Mondes.*

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